

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
BRYSON CITY DIVISION
2:06CR2**

UNITED STATES OF AMERICA

Vs.

LEONARD PARKER.

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ORDER

THIS MATTER is before the court on defendant Leonard Parker's renewed Motion for Appointment of Counsel (#62), and the court's provisional appointment of counsel.

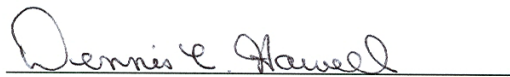
After appointing counsel for defendant on September 26, 2006, the court directed pretrial services to update the court on defendant's financial condition, all pursuant to Title 18, United States Code. After a search of public records and conducting interviews, pretrial services reported *in camera* the results of such investigation. As to defendant's real property holdings, it appears to the court that during defendant's pretrial detention, his assets were diminished through various foreclosures and repossessions from which there were no surpluses distributed to either plaintiff or his spouse. As to defendant's personal property, i.e., the Mustang defendant first represented as being a classic worth nearly \$100,000.00, such vehicle turned out to be a street-rodded, non-stock vehicle, stored in a field, that netted only \$8,000.00 in trade. The undersigned is satisfied that the proceeds of the sale of that Mustang have been used to provide support for defendant's dependents. As to other household goods, it would appear that those are being used exclusively for the support of plaintiff's dependent spouse.

Based on such findings, the court finds that defendant is now indigent and cannot afford to hire his own counsel. The court will convert the appointment of the Community Defender from provisional to a regular appointment of counsel, with the 30 day clock commencing to run from entry of this Order.

ORDER

IT IS, THEREFORE, ORDERED that defendant's Motion for Appointment of Counsel is **GRANTED**, and the Community Defender is fully appointed to represent defendant in this matter.

Signed: September 27, 2006

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Dennis L. Howell
United States Magistrate Judge

